

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DR. LISA BUON,

Plaintiff,

19-CV-6760 (NSR)

- against -

**DECLARATION IN
SUPPORT**

THE NEWBURGH ENLARGED CITY SCHOOL
DISTRICT, ROBERT PADILLA, and DR.
LISA M. SPINDLER,

Defendants.

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CAROLINE B. LINEEN, ESQ., an attorney duly admitted to practice law in the United States District Court for the Southern District of New York, hereby deposes and says subject to the penalties of perjury:

1. I am a member of the law firm of Silverman & Associates, attorneys for the Defendants, Newburgh Enlarged City School District (“the District”), Dr. Roberto Padilla, and Lisamarie Spindler. I am fully familiar with the facts and circumstances of this matter based on my review of the file maintained by my office in defense of this litigation.

2. This Declaration is submitted in support of the defendant’s Motion to Dismiss the plaintiff’s Amended Complaint pursuant to Rules 12(b)(2), (4), (5), and (6) of the Federal Rules of Civil Procedure, seeking a dismissal, with prejudice, of the plaintiff’s claims against District defendants, and for such other and further relief as this Court deems just and proper.

3. As is more fully discussed the in the accompanying Memorandum of Law, the plaintiff’s claims against the defendants must be dismissed because the plaintiff did not effectuate timely and proper service on the District Defendants, the Amended Complaint fails to


state sufficient factual allegations to raise plausible claims, and because certain claims are untimely.

4. In support of the instant motion, annexed hereto are the following:
 - A. Plaintiff's Amended Complaint;
 - B. Plaintiff's EEOC Charge of Discrimination;
 - C. Affidavit of Dr. Roberto Padilla;
 - D. Affidavit of Matthew McCoy;
 - E. Affidavit of Dr. Lisamarie Spindler;
 - F. Summons and list of names served by plaintiff; and
 - G. Correspondence to plaintiff regarding termination.

Dated: White Plains, New York
June 23, 2020

Respectfully submitted,

SILVERMAN & ASSOCIATES

BY: 

Caroline B. Lineen
Attorneys for District Defendants
445 Hamilton Avenue, Suite 1102
White Plains, NY 10601
(914) 574-4510